C.J.'s Court

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital: the 4th day of October, 2002

Criminal Misc. Bail Application No. 1038 of 2002

Order on the Bail Application

CRIMINAL SIDE

Preetam Singh S/o Murli Singh,
Resident of Village Mahuadabra,
P.S. Jaspur,
District Udham Singh Nagar..... Applicant

Versus

State of Uttaranchal ..... Opposite party.

Arising out of case crime No.107 of 2002
Under Sections: 302 I.P.C.
Police Station: Jaspur
DISTRICT: Udham Singh Nagar.

By the Court

Hon. A. A. Desai, C. J.

Heard Mrs. Pushpa Joshi, learned counsel for the applicant and learned A.G.A.

The arrest of the accused is pursuant to the offence punishable under section 302,I.P.C. From the investigation, statement is available. The statement is indicative that the applicant caused injury with fire arm to the deceased and he died. In view of this direct evidence, I am not inclined to grant bail to the accused-applicant.

Mrs. Joshi, learned counsel for the applicant, tried to urge that the witnesses, who rendered statements are highly interested because they were friends of the deceased. Friendship with the deceased does not make them interested and thereby their account can not be discredited.

The bail application is, therefore, rejected.

04.10.2002 **(A.A. Desai, C.J.)**

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